

EXHIBIT 1

-----Original Message-----

From: Lesley Weaver

Sent: Wednesday, November 13, 2019 2:27 PM

To: 'Kutscher Clark, Martie' <MKutscherClark@gibsondunn.com>; 'Cari Laufenberg' <claufenberg@KellerRohrback.com>; 'Lipshutz, Joshua S.' <JLipshutz@gibsondunn.com>; 'Watkins, Alison' <AWatkins@gibsondunn.com>; 'Yarian, Adam L.' <AYarian@gibsondunn.com>

Cc: 'Derek Loeser' <dloeser@KellerRohrback.com>; Anne Davis <ADavis@bfalaw.com>

Subject: RE: FB Privacy MDL - CMC date

Good afternoon,

Just circling back to see if Facebook has any alternative dates to offer to the Court for the CMC. Other than 12/16, this confirms that plaintiffs are otherwise available that week. Consistent with our comments yesterday, we will reach out to the Court shortly on this matter.

In addition, we still await Facebook's proposed scheduled referenced in Monday's meet and confer.

Finally, we have confirmed with the FTC that it has no objection to Facebook producing the FTC's demand letters and any correspondence relating to the scope of production. We ask that the demand letters and any such correspondence be produced immediately so that the parties can meaningfully engage regarding the relevance of the FTC production to this action.

Thanks very much, and we look forward to hearing from you.

Regards,

Lesley

-----Original Message-----

From: Lesley Weaver

Sent: Tuesday, November 12, 2019 3:09 PM

To: Kutscher Clark, Martie <MKutscherClark@gibsondunn.com>; Cari Laufenberg <claufenberg@KellerRohrback.com>; Lipshutz, Joshua S. <JLipshutz@gibsondunn.com>; Watkins, Alison <AWatkins@gibsondunn.com>; Yarian, Adam L. <AYarian@gibsondunn.com>

Cc: Derek Loeser <dloeser@KellerRohrback.com>; Anne Davis <ADavis@bfalaw.com>

Subject: RE: FB Privacy MDL - CMC date

Having not heard further from you, we left a voicemail a moment ago with Kristen advising of our unavailability and that Facebook has indicated it will try to provide alternative dates by tomorrow.

-----Original Message-----

From: Lesley Weaver

Sent: Tuesday, November 12, 2019 2:17 PM

To: Kutscher Clark, Martie <MKutscherClark@gibsondunn.com>; Cari Laufenberg <claufenberg@KellerRohrback.com>; Lipshutz, Joshua S. <JLipshutz@gibsondunn.com>; Watkins, Alison <AWatkins@gibsondunn.com>; Yarian, Adam L. <AYarian@gibsondunn.com>

Cc: Derek Loeser <dloeser@KellerRohrback.com>; Anne Davis <ADavis@bfalaw.com>

Subject: RE: FB Privacy MDL - CMC date

Hi, Martie,

Our concern is that every day that passes the Court may fill a date available now with another event, and that time is especially tight with year-end events coming up. We would like to pay the court the courtesy of knowing of the conflict now. We have tried to coordinate with you ahead of time. We will reach out now to let the court know, and you can provide your availability at your earliest convenience.

-----Original Message-----

From: Kutscher Clark, Martie <MKutscherClark@gibsondunn.com>

Sent: Tuesday, November 12, 2019 2:06 PM

To: Cari Laufenberg <claufenberg@KellerRohrback.com>; Lesley Weaver <lweaver@bfalaw.com>; Lipshutz, Joshua S. <JLipshutz@gibsondunn.com>; Watkins, Alison <AWatkins@gibsondunn.com>; Yarian, Adam L. <AYarian@gibsondunn.com>

Cc: Derek Loeser <dloeser@KellerRohrback.com>; Anne Davis <adavis@bfalaw.com>

Subject: RE: FB Privacy MDL - CMC date

Cari,

We'd appreciate if you would wait until tomorrow, and we will do our best to have our dates locked down for you by then.

Thank you,

Martie Kutscher Clark

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-----Original Message-----

From: Cari Laufenberg <claufenberg@KellerRohrback.com>

Sent: Tuesday, November 12, 2019 1:51 PM

To: Kutscher Clark, Martie <MKutscherClark@gibsondunn.com>; Lesley Weaver <lweaver@bfalaw.com>; Lipshutz, Joshua S. <JLipshutz@gibsondunn.com>; Watkins, Alison <AWatkins@gibsondunn.com>; Yarian, Adam L. <AYarian@gibsondunn.com>

Cc: Derek Loeser <dloeser@KellerRohrback.com>; Anne Davis <adavis@bfalaw.com>

Subject: RE: FB Privacy MDL - CMC date

[External Email]

Martie,

We appreciate the follow-up and understand that December 17 is not an option. Given that it's been 5 days since we reached out, we think it makes more sense to ask the court for alternative dates rather than to wait longer for your potential dates. This is akin to what Josh did when Facebook needed to reschedule the last CMC.

We will likely be leaving a voicemail for Kristen and then follow up with an email.

Let me know if you'd like to join the call.

Thank you,
Cari

-----Original Message-----

From: Kutscher Clark, Martie <MKutscherClark@gibsondunn.com>

Sent: Tuesday, November 12, 2019 1:21 PM

To: Cari Laufenberg <claufenberg@KellerRohrback.com>; Lesley Weaver <lweaver@bfalaw.com>; Lipshutz, Joshua S. <JLipshutz@gibsondunn.com>; Watkins, Alison <AWatkins@gibsondunn.com>; Yarian, Adam L. <AYarian@gibsondunn.com>

Cc: Derek Loeser <dloeser@KellerRohrback.com>; Anne Davis <adavis@bfalaw.com>

Subject: RE: FB Privacy MDL - CMC date

Hi Cari,

I just left you a message. Unfortunately, the 17th does not work for us. We are collecting other dates that do work and we will get back to you as soon as we can so that we can propose one or more mutually convenient dates. We'd appreciate if you would wait to call the court until then.

Thank you,

Martie Kutscher Clark

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-----Original Message-----

From: Cari Laufenberg <claufenberg@KellerRohrback.com>

Sent: Tuesday, November 12, 2019 1:19 PM

To: Lesley Weaver <lweaver@bfalaw.com>; Lipshutz, Joshua S. <JLipshutz@gibsondunn.com>; Kutscher Clark, Martie <MKutscherClark@gibsondunn.com>; Watkins, Alison <AWatkins@gibsondunn.com>; Yarian, Adam L. <AYarian@gibsondunn.com>

Cc: Derek Loeser <dloeser@KellerRohrback.com>; Anne Davis <adavis@bfalaw.com>

Subject: RE: FB Privacy MDL - CMC date

[External Email]

Hi Josh,

I just left you a message that we need to resolve rescheduling the CMC and, to that end, we think that we should call the court today to at least inform the court that December 16 no longer works for the parties and ask for potential new dates with the suggestion that the afternoon of December 17 might be an option. If you would like to join us on a call to the court please let us know. We plan to call around 3 pm PT.

Thank you,
Cari

-----Original Message-----

From: Lesley Weaver <lweaver@bfalaw.com>

Sent: Thursday, November 7, 2019 1:49 PM

To: Lipshutz, Joshua S. <JLipshutz@gibsondunn.com>; Kutscher Clark, Martie <MKutscherClark@gibsondunn.com>;

Watkins, Alison <AWatkins@gibsondunn.com>; Yarian, Adam L. <AYarian@gibsondunn.com>

Cc: Derek Loeser <dloeser@KellerRohrback.com>; Cari Laufenberg <claufenberg@KellerRohrback.com>; Anne Davis <adavis@bfalaw.com>

Subject: FB Privacy MDL - CMC date

Hello, Josh and team,

A professional conflict has developed on our end with the proposed December 16, 2019 CMC. We are available the afternoon of December 17, 2019, and Judge Chhabria's calendar shows this is clear. Does that work for your team? Please let us know and we will email Kristen.

Thanks much.

Lesley E. Weaver
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